

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">FEE TRANSMITTAL</h1> <h2 style="text-align: center;">for FY 2002</h2> <p style="text-align: center;"><i>Patent fees are subject to annual revision</i></p>		<b>Complete if Known</b>	
		Application Number	09/869,653
<b>TOTAL AMOUNT OF PAYMENT</b> (\$ ) 160.00		I.A. Filing Date	December 22, 1999
		First Named Inventor	Kaltenbacher et al.
		Examiner Name	Not yet assigned
		Group Art Unit	Not yet assigned
		Attorney Docket No.	21422/04022

<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																											
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 03-0172 Deposit Account Name: Calfee, Halter & Griswold LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																											
<b>2. <input checked="" type="checkbox"/> Payment Enclosed:</b> <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>65</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td>55</td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - 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late filing fee or oath	65	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month	55	116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	40	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____						<b>SUBTOTAL (3)</b>					(\$ ) 160
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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	John E. Müller	Registration No. (Attorney/Agent)	26,206
Signature		Telephone	(216) 622-8679
		Date	February 15, 2002

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JC07 Rec'd PCT/PTO 15 FEB 2002

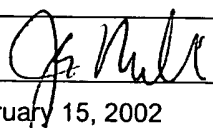
Approved for use through 09/30/2000. OMB 0651-0031


Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/869,653	
	Filing Date	December 22, 1999	
	First Named Inventor	Kaltenbacher et al.	
	Group Art Unit	Not yet assigned	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	15	Attorney Docket Number	21422/04022

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><ul style="list-style-type: none"><li>- Executed Declaration</li><li>- Check in the amount of \$160</li><li>- Return receipt postcard</li></ul></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Or Individual name	John E. Miller
Signature	
Date	February 15, 2002

  
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CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited via Express Mail Label No. <u>EL085171140US</u> with the United States Postal Service in an envelope addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231.			
Typed or printed name	Bonnie Hardin-Mitchell		
Signature		Date	February 15, 2002

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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/869,653	FIRST NAMED APPLICANT Kaltenbacher	ATTY. DOCKET NO. 21422/04022
INTERNATIONAL APPLICATION NO. PCT/US99/30774		
IA. FILING DATE 12/22/1999	PRIORITY DATE 12/29/1998	

John E Miller  
Calfee Halter & Griswold  
1400 McDonald Investment Center  
800 Superior Avenue  
Cleveland, OH 44114

CONFIRMATION NO. 7068

371 FORMALITIES LETTER



\*OC000000007070852\*

Date Mailed: 11/15/2001

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

	Case Number	Ctry	Sub Case	Action Due	Due Date
• U.S. Basic National Fees	2142204022	US	P1	RESP MSNG REQ	15-Jan-2002
• Indication of Small Entity Status					
• Priority Document					
• Copy of IPE Report					
• Copy of references cited in ISR					
• Copy of the International Application					
• Copy of the International Search Report					
• Information Disclosure Statements					
• Oath or Declaration					
• Request for Immediate Examination					
• Small Entity Statement					

Action RESP MSNG REQ  
Type:

Verified: \_\_\_\_\_

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NOV 19 2001  
DOCKETED

NOV 26 2001

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

T.L.B. IP. Dept.

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR

THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A. CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/869,653	PCT/US99/30774	21422/04022



24024

PATENT TRADEMARK OFFICE

~~Noted~~ PTO 15 FEB 2002

Certificate of Mailing  
I hereby certify that this correspondence is being deposited via Express Mail Label No. EL085171140US with the United States Postal Service with sufficient postage in an envelope addressed to Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 this 15th day of February, 2002. #40

*Bonnie Hardin-Mitchell*

Bonnie Hardin-Mitchell

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Kaltenbacher et al.  
Serial No. : 09/869,653  
Based on International Application No. : PCT/US99/30774  
International Filing Date: : 22 December 1999  
Attorney Docket No. : 21422/04022

Box PCT  
Assistant Commissioner for Patents  
Washington, D. C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application dated November 15, 2001, applicants hereby enclose a faxed copy of an executed Declaration and Power of Attorney along with a check to cover the missing parts fee. The original will be forwarded to the PTO as soon as it is received.

If there are any further fees due in connection with this matter, please charge our deposit account 03-0172. A duplicate of this paper is attached.

Respectfully submitted,

*J. Miller*

John E. Miller, Reg. No. 26,206  
Telephone: (216) 622-8679  
Facsimile: (216) 241-0816

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